


3/13/14

11:16 AM

Chapter No. 903
14/HR12/R869
JP / Law

HOUSE BILL NO. 1503

Originated in House  Clerk

HOUSE BILL NO. 1503

AN ACT TO AUTHORIZE THE TOWN OF FALKNER, MISSISSIPPI, TO ACQUIRE AND ASSUME THE OPERATION AND MAINTENANCE OF THE BLACKJACK DEVELOPMENT ASSOCIATION, INC., WATER SYSTEM AND TO ASSUME ALL THE LIABILITIES, OBLIGATIONS, ASSETS, DUTIES AND RESPONSIBILITIES OF SUCH ASSOCIATION; TO AUTHORIZE THE TOWN OF FALKNER TO OPERATE ITS WATER DISTRIBUTION SYSTEM FOR A DISTANCE OF MORE THAN FIVE MILES FROM THE CORPORATE LIMITS OF THE TOWN OF FALKNER IN ORDER TO OPERATE THE WATER SYSTEM WITHIN THE AREA PRESENTLY SERVED BY THE BLACKJACK DEVELOPMENT ASSOCIATION; AND FOR RELATED PURPOSES

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. (1) The Town of Falkner, Mississippi, acting by and through its governing authorities, is hereby authorized and empowered to acquire the Blackjack Development Association, Inc., Water System and to assume the operation and maintenance of the Blackjack Development Association, Inc., Water System, and, in connection therewith, such governing authorities are vested with the power to assume all liabilities, obligations, assets, duties and responsibilities of such association. The town shall have such powers and authority concerning the association and its facilities as is now or hereafter granted by law to municipalities concerning water systems.

(2) Any indebtedness incurred by the Town of Falkner as a result of the exercise of the authority granted to it in subsection (1) of this section shall not constitute a debt within the meaning of any statutory limitation as to the amount of debt which may be incurred by the municipality.

SECTION 2. (1) (a) Notwithstanding any provisions of Section 21-27-39, Mississippi Code of 1972, to the contrary, the governing authorities of the Town of Falkner, Mississippi, may, in their discretion, construct, expand, operate and maintain the water distribution system of the Town of Falkner for a distance of more than five (5) miles from the corporate limits of the Town of Falkner in order to operate the water system within the area presently served by the Blackjack Development Water Association. The rate charged to consumers of water service furnished by the water system who reside outside the corporate limits of the Town of Falkner shall be no greater than twice the rate charged to consumers who reside within the corporate limits of the city, until the provisions of paragraph (b) are applicable.

(b) Upon the completion of any construction, expansion or improvement of the water system under authority of this act and the retirement of any indebtedness incurred in connection therewith, the consumers of water service furnished by the water system who reside outside the corporate limits of the town of Falkner shall be charged the same rate as that charged to consumers who reside within the corporate limits of the town.

(2) The authority conferred by this section shall not be construed as an exemption of Section 77-3-1 et seq., Mississippi Code of 1972, as to the requirements of obtaining a Certificate of Public Convenience and Necessity, the jurisdiction of the Public Service Commission to regulate rates or any other provision of law.

SECTION 3. This act shall take effect and be in force from and after its passage.

PASSED BY THE HOUSE OF REPRESENTATIVES
February 26, 2014


SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 11, 2014


PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR


GOVERNOR

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